

## **MINUTES – NOVEMBER 17, 1998**

### **TRAVIS COUNTY COMMISSIONERS' COURT**

On Tuesday, the 17<sup>th</sup> day of November, 1998, the Commissioners' Court convened the Voting Session at 9:07 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Travis County Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Robert Resnick.

The Commissioners' Court recessed the Voting Session at 12:19 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation (TCHFC), called to order the TCHFC Voting Session at 1:43 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation (TCHFC), retired to Executive Session at 1:44 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation (TCHFC), reconvened the TCHFC Voting Session at 2:02 PM and adjourned the TCHFC Voting Session at 2:05 PM.

The Commissioners' Court, meeting as the Capital Industrial Development Corporation (CIDC), called to order the TCHFC Voting Session at 2:05 PM and adjourned the CIDC Voting Session at 2:11 PM.

The Commissioners' Court recessed the Voting Session at 2:11 PM.

The Commissioners' Court reconvened the Voting Session at 2:14 PM.

The Commissioners' Court retired to Executive Session at 4:00 PM and reconvened the Voting Session at 4:36 PM.

The Commissioners' Court adjourned the Voting Session at 4:39 PM.

The Commissioners' Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, (NWTCRD), convened the NWTCRD #3 Voting Session at 4:40 PM and adjourned at 4:40 PM.

The Commissioners' Court adjourned the Voting Session at 4:40 PM.

**RESOLUTIONS AND HEARINGS**

- 1. RECEIVE BRIEFING ON TRAVIS COUNTY COMBINED CHARITIES. (9:08 AM)  
(9:10 AM)

Item 1 postponed until November 24, 1998.

- 2. APPROVE AN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 6119 SQ. FT. DRAINAGE EASEMENT ACROSS LOT 28, BLOCK B, ROB ROY ON THE LAKE, SECTION TWO AND ACCEPTANCE OF DEDICATION OF A DRAINAGE EASEMENT ALONG THE NORTHWEST PROPERTY LINE OF THE SAME LOT, A SUBDIVISION IN PRECINCT THREE. (9:09 AM)

**Motion by** Commissioner Moore **and seconded by** Commissioner Gómez that the Public Hearing be opened.

**Motion carried:**

County Judge Bill Aleshire	-	absent
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

**Members of the Court heard from:** Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR).

**Motion by** Commissioner Moore **and seconded by** Commissioner Gómez that the Public Hearing be closed.

**Motion carried:**

County Judge Bill Aleshire	-	absent
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

**Clerk’s Note:** The action Item for Item 2 is Consent Item C18. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

**A.1. ADDED ITEM:** APPROVE A TEMPORARY ROAD CLOSURE OF PFLUGERVILLE LOOP WEST ROAD AT CULVERT BETWEEN HEATHERWILDE ROAD AND REGIS DRIVE FOR THE PURPOSE OF DRAINAGE IMPROVEMENTS IN PRECINCT TWO BY CAPITAL EXCAVATION. (9:10 AM)

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Moore that the Public Hearing be opened.

<b>Motion carried:</b>	County Judge Bill Aleshire	-	absent
	Precinct 1, Commissioner Ron Davis	-	yes
	Precinct 2, Commissioner Karen Sonleitner	-	yes
	Precinct 3, Commissioner Margaret Moore	-	yes
	Precinct 4, Commissioner Margaret J. Gómez	-	yes

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Moore that the Public Hearing be closed.

<b>Motion carried:</b>	County Judge Bill Aleshire	-	absent
	Precinct 1, Commissioner Ron Davis	-	yes
	Precinct 2, Commissioner Karen Sonleitner	-	yes
	Precinct 3, Commissioner Margaret Moore	-	yes
	Precinct 4, Commissioner Margaret J. Gómez	-	yes

**Clerk’s Note:** The action Item for Item A.1 is Consent Item C19. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

### CITIZENS COMMUNICATION

**Members of the Court heard from:** John Foreman, In-Your-Face; Robert Kurtz, Private Citizen; Bob Crowley, KVET-KASE Radio; Mrs. Sary, Private Citizen ; and Mary Aleshire, Democratic Precinct Chair, Precinct 462. (9:11 AM)

**CONSENT ITEMS**

- 3. **Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the following Consent Items: C1-C19, and 7, 16A & B, 17, 18A & B, 19, 22, 24, 26A, and 27. (10:02 AM)

**Motion carried:**

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION FACILITIES.
- C3. APPROVE COMMISSIONERS' COURT MINUTES FOR SPECIAL VOTING SESSION OF NOVEMBER 9, 1998.
- C4. APPROVE REQUEST TO PRINT 1200 DOUBLE-SIDED ANTI-DWI HOLIDAY MESSAGE PAYROLL STUFFER TO BE DISTRIBUTED WITH DECEMBER 15, 1998 EMPLOYEE PAYCHECKS.
- C5. APPROVE MAILING OF "THANK YOU" LETTER TO APPROXIMATELY 1000 TRAVIS COUNTY ELECTION DAY POLLWORKERS. LETTER WILL BE INSERTED INTO PAYCHECKS DISTRIBUTED ON OR ABOUT NOVEMBER 25, 1998.
- C6. APPROVE CHANGE (PETTY CASH) FUND TOTAL OF \$243.50 FOR RECORDS MANAGEMENT COMMUNICATION RESOURCES DEPARTMENT IN ORDER TO COMPLY WITH SECTION 130.902 OF THE LOCAL GOVERNMENT CODE; THESE FUNDS ALREADY EXIST AND REQUIRE NO ADDITIONAL RESOURCES.
- C7. APPROVE MODIFICATION NO. 3 TO CONTRACT NO. PS960012LH, SOUTHWEST KEY PROGRAM, INC., FOR PROVISION OF INTENSIVE SUPERVISION SERVICES FOR JUVENILE OFFENDERS UNDER SUPERVISION OF JUVENILE COURT; MODIFICATION EXTENDS THE PERIOD OF SERVICE FOR AN ADDITIONAL YEAR, OCTOBER 1, 1998 THROUGH SEPTEMBER 30, 1999, AND INCREASES THE NOT-TO-EXCEED CONTRACT AMOUNT TO \$350,000.00; ORIGINAL CONTRACT WAS APPROVED ON DECEMBER 10, 1996.

**CONSENT ITEMS CONTINUED**

- C8.** APPROVE MODIFICATION NO. 2 TO CONTRACT NO. PS70029LH, AUSTIN CHILD GUIDANCE CENTER FOR PROVISION OF MULTI-FAMILY COUNSELING SERVICES FOR JUVENILE OFFENDERS UNDER SUPERVISION OF JUVENILE COURT, AND THEIR FAMILIES; MODIFICATION EXTENDS THE PERIOD OF SERVICE FOR AN ADDITIONAL YEAR, OCTOBER 1, 1998 THROUGH SEPTEMBER 30, 1999; ORIGINAL CONTRACT WAS APPROVED ON FEBRUARY 26, 1997.
- C9.** APPROVE MODIFICATION NO. 3 TO CONTRACT NO. PS960288LH, AUSTIN CHILD GUIDANCE CENTER FOR PROVISION OF DIVORCE EDUCATION THROUGH THE MOVING THROUGH PROGRAM TO ASSIST CLIENTS OF THE DOMESTIC RELATIONS OFFICE; MODIFICATION EXTENDS THE PERIOD OF SERVICE FOR AN ADDITIONAL YEAR, OCTOBER 1, 1998 THROUGH SEPTEMBER 30, 1999; ORIGINAL CONTRACT WAS APPROVED ON SEPTEMBER 19, 1995.
- C10.** APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 98T0054-OJ, TEXAS DISPOSAL SYSTEMS, REFUSE COLLECTION; CONTRACT APPROVED ON DECEMBER 23, 1997; MODIFICATION ALLOWS FOR A 12-MONTH EXTENSION AND INCORPORATES NECESSARY ADJUSTMENTS (CHANGES/ADDS) IN PICK-UP LOCATIONS.
- C11.** APPROVE ASSIGNMENT OF CONTRACT BETWEEN AON RISK SERVICES AND PROFESSIONAL INSURANCE AGENTS, INC.; FOR CONTRACT NO. 97T0116-OJ, AON, EXCESS WORKERS' COMPENSATION INSURANCE; CONTRACT APPROVED ON FEBRUARY 4, 1997.
- C12.** APPROVE MODIFICATION NO. 4 TO CONTRACT NO. PS960295-LH, AUSTIN CHILD GUIDANCE CENTER, FOR PROVISION OF MENTAL HEALTH SERVICES FOR THE JUVENILE OFFENDER SUBSTANCE ABUSE TREATMENT SERVICES NETWORK (JOSATS); MODIFICATION EXTENDS THE PERIOD OF SERVICE FOR AN ADDITIONAL YEAR, SEPTEMBER 30, 1998 THROUGH SEPTEMBER 29, 1999; ORIGINAL CONTRACT APPROVED ON JUNE 11, 1996.
- C13.** APPROVE CONTRACT AWARD FOR THE PROVISION OF PROFESSIONAL DRUG AND ALCOHOL TESTING SERVICES TO COMPLIANCE CONSORTIUM CORPORATION; CONTRACT NO. PS990019KW.
- C14.** APPROVE CONTRACT AWARD FOR THE PROVISION OF DISPOSABLE MEDICAL SUPPLIES FOR THE TRAVIS COUNTY HEALTH & HUMAN SERVICES DEPARTMENT; IFB SH98100104, TO THE SOLE, QUALIFIED BIDDER; AMERICAN HEALTH SUPPLIES, INC.; THIS WAS A JOINT IFB BETWEEN THE CITY OF AUSTIN AND TRAVIS COUNTY.

**CONSENT ITEMS CONTINUED**

- C15.** APPROVE AND/OR GIVE STAFF DIRECTION ON CONTRACT AWARD TO THE LOW BIDDER, ANDY HOWARD'S PEST CONTROL, IN THE AMOUNT OF \$22,482.00 FOR PEST CONTROL SERVICE (IFB B990002-JP).
- C16.** **A.** APPROVE SUBDIVISION CONSTRUCTION AGREEMENT FOR RECORDING IN PRECINCT TWO: WATERFORD ON LAKE TRAVIS SECTION TWO.
- B.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: WATERFORD ON LAKE TRAVIS SECTION TWO – (FISCAL POSTED WITH TRAVIS COUNTY – 30 LOTS – 82.551 ACRES – OSPREY RIDGE LOOP – WASTEWATER SERVICE TO BE PROVIDED FOR BY POINT VENTURE II MUD).
- C17.** APPROVE PLAT FOR RECORDING IN PRECINCT THREE: CANTERBURY TRAILS SECTION IV – (LONGFORM – FISCAL POSTED WITH TRAVIS COUNTY – 96 LOTS – 16.127 ACRES – FM 2304 – SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN).
- C18.** APPROVE AN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 6119 SQ. FT. DRAINAGE EASEMENT ACROSS LOT 28, BLOCK B, ROB ROY ON THE LAKE, SECTION TWO AND ACCEPTANCE OF DEDICATION OF A DRAINAGE EASEMENT ALONG THE NORTHWEST PROPERTY LINE OF THE SAME LOT, A SUBDIVISION IN PRECINCT THREE.

**Clerk's Note:** Item C18 is the action Item for Agenda Item 2.

- C19. ADDED ITEM:** APPROVE A TEMPORARY ROAD CLOSURE OF PFLUGERVILLE LOOP WEST ROAD AT CULVERT BETWEEN HEATHERWILDE ROAD AND REGIS DRIVE FOR THE PURPOSE OF DRAINAGE IMPROVEMENTS IN PRECINCT TWO BY CAPITAL EXCAVATION.

**Clerk's Note:** Item C19 is the action Item for Agenda Item A.1.

**ADMINISTRATIVE ITEMS**

4. RECEIVE AND DISCUSS FEDERALLY QUALIFIED HEALTH CENTERS (FQHC) UPDATE AND GOGGIO MANAGEMENT TEAM STATUS REPORT. (10:04 AM)

**Members of the Court heard from:** David Lurie, Director, Austin-Travis County Health and Human Services Department (HHSD); John Kenney, Goggio and Associates; Kay Music, Goggio and Associates; Alan Miller, Budget Analyst, Planning and Budget Office (PBO); and Mary Aleshire, Democratic Precinct Chair, Precinct 462.

Discussion Only.

5. APPROVE RELEASE FOR PUBLIC COMMENT THE SETON HEALTH PLAN PROPOSAL FOR TRAVIS COUNTY INDIGENT HEALTH CARE AND APPROVE RECOMMENDATION REGARDING THE PUBLIC COMMENT PROCESS.  
(11:21 AM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; Elaine Carroll, Interim Division Director, Medical Assistance Program (MAP); Alan Miller, Budget Analyst, PBO; Ed Berger, Vice President for Advocacy and Public Policy, Seton Health Plan; Steven Rosenberg, Consultant; and Mary Aleshire, Democratic Precinct Chair, Precinct 462.

**Motion by Judge Aleshire and seconded by Commissioner Gómez** that the Travis County Commissioners' Court indicate as direction to Staff to release this report in public and to coordinate with each of the Commissioners for public forums to be established in the precincts in order to answer questions about this proposal, and work in cooperation with Seton in making those answers available to the public; and that by this Motion, the Court is not asking for it to be interpreted as anything more than authorization to take this proposal to the public for their input, so that it enables the Commissioners' Court in the future, probably after Christmas, to make a decision about whether to pursue this further.

**Maker and Second accept the Friendly Amendment by Commissioner Sonleitner** that Seton work with County Staff to prepare a mutually agreed-upon extension that these prices and terms are good through January 31, 1999.

**Acceptance of the Friendly Amendment was made by Judge Aleshire and seconded by Commissioner Gómez.**

**Maker and Second accept the Friendly Amendment by Commissioner Moore** that Stephen Williams coordinate the whole public exposition of this.

**Acceptance of the Friendly Amendment was made by Judge Aleshire and seconded by Commissioner Gómez.**

**Motion carried:**

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

- 6. ADOPT STRATEGY FOR DEALING WITH CONSTRUCTION BIDS IN EXCESS OF BUDGET FOR THE GARDNER-BETTS PROJECT: INCREASE BUDGET AND AWARD CONTRACT; REQUEST PURCHASING AGENT TO NEGOTIATE A MODIFICATION; INSTRUCT ARCHITECT TO REDESIGN FOR REBID, OR TAKE APPROPRIATE ACTION CONCERNING THE JUVENILE COURT EXPANSION AND RENOVATION PROJECT AT GARDNER-BETTS JUVENILE JUSTICE CENTER, IFB 990701-JG. (9:35 AM)

**Members of the Court heard from:** Leslie Poole, Chair, Building Projects Oversight Subcommittee; Walter Timberlake, Co-Chair; Judge Jean Meurer, 98<sup>th</sup> District Court; Alicia Perez, Executive Manager, Administrative Operations; and Gordon Bowman, Assistant County Attorney.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez that Staff begin conversations with the low bidder on this particular IFB, with the purpose of bringing back change orders to be brought to the Commissioners’ Court when the contract is actually awarded, and that this be done without changing the nature of the scope of work, as was mentioned by the County Attorney’s Office; that the Court would like to see a report back on December 1, 1998, specifying the progress that has been made on suggestions for value engineering; and that Staff work with PBO between now and then and make suggestions for scoping out solutions related to potential issuances of Certificates of Obligation during this next round of debt discussions.

**Maker and Second accept the Friendly Amendment by** Judge Aleshire that the Court requests the Staff to keep in mind the goal of keeping this project within budget, but recognizing the reality of it. The goal is to keep the project within budget without doing something harmful to the project.

**Acceptance of the Friendly Amendment was made by** Commissioner Sonleitner **and seconded by** Commissioner Gómez.

**Motion carried:**

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

Item 6 to be reposted on December 1, 1998.

- 7. ENDORSE APPOINTMENTS TO THE EMS TRANSITION TEAM. (10:02 AM)

Item 7 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

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- 8.** APPROVE REQUEST TO ESTABLISH NEW POSITION (ADMINISTRATIVE SPECIALIST) TO ASSIST TRAVIS COUNTY/CITY OF AUSTIN MEDICAL DIRECTOR IN EFFORTS TO CONSOLIDATE EMERGENCY SERVICE DELIVERY COUNTY-WIDE. (2:14 PM)

**Members of the Court heard from:** Dinah Dinwiddie, Executive Manager, Justice and Public Safety (JPS); and Carlotta Valdez, Compensation and Benefits Manager, Human Resources Management Department (HRMD).

**Motion by** Commissioner Moore **and seconded by** Commissioner Davis to approve this position as recommended by the Human Resources Department.

**Motion carried:**

County Judge Bill Aleshire	-	absent
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

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9. A. DISCUSS, APPROVE, OR GIVE DIRECTION REGARDING THE REIMBURSEMENT RESOLUTION FOR THE PURPOSE OF PROVIDING FUNDS FOR THE AWARD OF CONSTRUCTION CONTRACTS #99K0721J TO TERRILL MANUFACTURING CO., INC. AND #99K0721L TO WIN-CON ENTERPRISES. (2:22 PM)
  
- B. DISCUSS, APPROVE, OR GIVE DIRECTION REGARDING TRANSFER FROM THE TCCC PHASE 2 PROJECT BUDGET TO THE TCCC PHASE 1 PROJECT BUDGET TO PROVIDE SUPPLEMENTAL FUNDING FOR AWARD OF RELEASE 2 CONSTRUCTION CONTRACTS INCLUDED IN PROPOSED MOTION #C.
  
- C. DISCUSS, APPROVE, OR GIVE DIRECTION REGARDING AWARD OF THE FOLLOWING CONTRACTS FOR THE TCCC PHASE 1 PROJECT:
  1. CONTRACT #99K0721I TO WILKS MASONRY FOR THE **MASONRY PACKAGE.**
  
  2. CONTRACT #99K0721J TO TERRILL MANUFACTURING FOR THE **CASEWORK PACKAGE.**
  
  3. CONTRACT #99K0721K TO PORT ENTERPRISES, INC. FOR THE **ROOFING PACKAGE.**
  
  4. CONTRACT #99K0721L TO WIN-CON FOR THE **GLAZING PACKAGE.**
  
  5. CONTRACT #99K0721O TO SAN ANTONIO FLOOR FINISHERS FOR THE **CARPET/RESILIENT FLOORING PACKAGE.**
  
  6. CONTRACT #99K0721Q TO DEAN HAGLER, INC. FOR THE **PAINTING PACKAGE.**
  
  7. CONTRACT #99K0721W TO CONSTRUCTION RENT-A-FENCE FOR THE **FENCING PACKAGE.**

**ITEM 9 CONTINUED**

**D. DISCUSS, APPROVE, OR GIVE DIRECTION REGARDING INSURANCE COVERAGE OF CONSTRUCTION CONTRACTS INCLUDED IN PROPOSED MOTION #C WITH THE COUNTY'S ROLLING OWNER CONTROLLED INSURANCE PROGRAM.**

**Clerk's Note:** Items 9.A-D are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Kevin Bailey, Director of Facilities Management; Mike Barrow, Construction Project Manager, Fluor Daniel; Karen Shafer Castro, Senior Planning and Budget Analyst, PBO; Cyd Grimes, Travis County Purchasing Agent; and Marvin Brice, Construction Procurement Manager, Purchasing.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve Item 9.A, which is a reimbursement resolution to provide funds for all of the contracts in Item 9.C; (because of that action, Item 9.B is needed) to approve the transfer of the Phase II project budget over to the Phase I; to take care of the contracts under Item 9.C.1, 2, 3, 4, 5, 6, & 7, as recommended by Facilities and the Project Management Team; and to give approval for all of those under Item 9.C.1-7, to be included in the County's ROCIP program (Item 9.D).

<b>Motion carried:</b>	County Judge Bill Aleshire	-	absent
	Precinct 1, Commissioner Ron Davis	-	yes
	Precinct 2, Commissioner Karen Sonleitner	-	yes
	Precinct 3, Commissioner Margaret Moore	-	yes
	Precinct 4, Commissioner Margaret J. Gómez	-	yes

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**10. APPROVE STAFF PROCEEDING WITH 1999 SOCIAL SERVICES CONTRACT RENEWAL PROCESS. (2:47 PM)**

**Members of the Court heard from:** Diane Harrison, Manager, Contract Management Unit, Austin-Travis County Health and Human Services Department (HHSD); and Mark Pepler, Acting Manager, Planning, Assessment, and Evaluation, Austin-Travis County HHSD; and Cyd Grimes, Travis County Purchasing Agent.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Staff proceeding with the 1999 Social Services contract renewal process with this further explanation: This is to give an indication to the County Attorney and the appropriate staff and Purchasing to reserve the time over the next six weeks (during the time when these contracts will come up for renewal), to prepare, in as timely a manner as possible, a renewal of the contracts (based on these being a two-year contract process), with the expectation for service agencies that, if they have been performing to the expectations the Court has laid out for them over the last year, there will be no surprises, and those who have not been performing to expectations, also, no surprises. They will be asked to make modifications and/or face the possibility that their contracts will not be renewed, with the intent that the Court would then re-allocate to those many other service areas where adjustments are needed. This would not preclude any Court, be it next week, November 23, 1998, or the week after that, December 1, 1998, from making further modifications and guidelines of what is to be included within these Social Service contracts. It is the Court's intent that Purchasing will handle this process next time around, and that it needs to start earlier than six months into 1999, so the Court is primed to make some positive, proactive recommendations in the next Budget Process, as opposed to "too much needs, not enough money". If the Court is to be strategic about this, then let it be presented to the Court in a manner that will allow the Court to make fiduciary and budgetary decisions that truly will make an impact.

**Motion carried:**

County Judge Bill Aleshire	-	abstain
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

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- 11. RECEIVE BRIEFING, DISCUSS AND/OR TAKE APPROPRIATE ACTIONS REGARDING THE POTENTIAL PURCHASE OF PROPERTIES LOCATED AT 812 SAN ANTONIO AND 1601 RIO GRANDE. (3:43 PM) (4:00 PM) (4:36 PM)**

**Members of the Court heard from:** Belinda Poppa, Capital Planning Coordinator, PBO.

Judge Aleshire announced that Item 11 would be considered in Executive Session.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis that the Court intends to bifurcate this deal. Of the \$13 million that the County had offered for both 812 San Antonio and 1601 Rio Grande, the Court bifurcates the deal to \$6.7 million for the Meridian Building, which is 1601 Rio Grande, leaving \$6.3 million for 812 San Antonio; and that the County Attorney's Office and all other relevant parties be instructed to proceed with bringing back the necessary, legal documents to finalize 1601 Rio Grande as quickly as possible.

**Motion carried:**

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	no

Item 11 to be reposted on November 24, 1998.

- 12. APPROVE REQUEST FOR OUTSIDE LIGHTING AT SMART FACILITY. (10:04 AM)**

Item 12 pulled from the Agenda.

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- 13. REVISED WORDING: APPROVE LICENSE AGREEMENT FOR USE OF TRAVIS COUNTY COURTHOUSE 6<sup>TH</sup> AND 7<sup>TH</sup> FLOOR JAIL ON OR ABOUT NOVEMBER 24, 1998 TO UNIVERSITY OF TEXAS STUDENTS DAMIAN RODRIGUEZ AND JOSHUA SANCHEZ FOR A FILM SHOOT. (2:42 PM)**

**Members of the Court heard from:** John Hille, Assistant County Attorney; Kevin Bailey, Director of Facilities Management; and Joshua Sanchez, University of Texas Film Student.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve Item 13, and to waive the \$10.00 licensing fee.

**Motion carried:**

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

- 14. APPROVE CONTRACT MODIFICAITON NO. 2 TO CONTRACT MA950015, HTE, INCORPORATED, FOR MAINTENANCE OF HTE SOFTWARE (FINANCIAL SYSTEM) IN THE AMOUNT OF \$35,265.00; MODIFICATION ALLOWS FOR A 12-MONTH EXTENSION. (3:51 PM)**

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Moore to approve Item 14.

**Motion carried:**

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

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- 15.** APPROVE AND/OR GIVE STAFF DIRECTION ON CONTRACT AWARD FOR THE PROVISION OF A COMPUTER AIDED DESIGN/COMPUTER AIDED FACILITIES MANAGEMENT SYSTEM, TRAINING AND SERVICES TO APERTURE TECHNOLOGIES, INC., FOR \$28,735.00. (3:52 PM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; John Carr, Division Manager, Building Maintenance and Repair, Facilities Management.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the contract award.

**Motion carried:**

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

- 16.** **A.** APPROVE SUBDIVISION CONSTRUCTION AGREEMENT FOR RECORDING IN PRECINCT TWO: SARAH'S CREEK SECTION TWO. (10:02 AM)
- B.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: SARAH'S CREEK SECTION TWO (FISCAL POSTED WITH THE CITY OF AUSTIN – 20.634 ACRES – 98 LOTS – SARAH'S CREEK DRIVE – WASTEWATER SERVICE TO BE PROVIDED FOR BY CITY OF AUSTIN).

Items 16.A and B added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- 17.** APPROVE CONSTRUCTION AGREEMENT FOR CANTERBURY TRAILS SECTION IV, A SUBDIVISION IN PRECINCT THREE. (10:02 AM)

Item 17 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

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- 18. A. APPROVE SUBDIVISION CONSTRUCTION AGREEMENT FOR RECORDING IN PRECINCT TWO: BRATTON HILL SECTION THREE. (10:02 AM)**
- B. APPROVE AN ALTERNATE FISCAL AGREEMENT WITH MCGUYER HOMEBUILDERS, INC., FOR BRATTON HILL SECTION III, A SUBDIVISION IN PRECINCT TWO.**

Items 18.A and B added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- 19. APPROVE PLAT FOR RECORDING IN PRECINCT TWO: BHN SUBDIVISION – (NO FISCAL REQUIRED – 1 LOT – 1.925 ACRES – VAUGHT RANCH ROAD – WASTEWATER SERVICE TO BE PROVIDED FOR BY ONSITE SEWAGE SERVICE). (10:02 AM)**

Item 19 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- 20. A. APPROVE AN ALTERNATE FISCAL AGREEMENT WITH LEE F. SIGNOR FOR MADRONE RANCH, A SUBDIVISION IN PRECINCT THREE. (9:08 AM)**
- B. APPROVE A PRELIMINARY PLAN IN PRECINCT THREE: MADRONE RANCH SUBDIVISION (38 LOTS – 188.56 ACRES – FM 3238 – ONSITE SEPTIC SYSTEM).**

Item 20 postponed until November 24, 1998.

- 21. APPROVE AN ALTERNATE FISCAL AGREEMENT WITH MCGUYER HOMEBUILDERS, INC. FOR RESTORATION FISCAL FOR BRATTON HILL SECTION III, A SUBDIVISION IN PRECINCT TWO. (9:07 AM)**

Item 21 pulled from the Agenda.

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- 22.** APPROVE CANCELLATION OF A SUBDIVISION AND RELEASE OF LETTER OF CREDIT IN PRECINCT THREE: ROUGH HOLLOW AT THE HILLS OF LAKEWAY SECTION ONE P.U.D. (LONGFORM – FISCAL HELD BY COUNTY – 18 LOTS – 231.109 ACRES – THE HILLS DRIVE – LAKEWAY ETJ). (10:02 AM)

Item 22 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- 23.** APPROVE BUDGET AMENDMENTS AND TRANSFERS. (3:55 PM)

**Members of the Court heard from:** Karen Shafer Castro, Senior Planning and Budget Analyst, PBO.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Moore to approve Item 23.

**Motion carried:**

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

- 24.** APPROVE GRANT APPLICATION FOR SUBMISSION TO THE STATE FOR PUBLIC ASSISTANCE DUE TO THE OCTOBER 17, 1998 FLOOD. (10:02 AM)

Item 24 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- 25.** APPROVE PERSONNEL AMENDMENTS. (3:58 PM)

**Members of the Court heard from:** Norman McRee, Lead Personnel Analyst, HRMD.

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 25.

**Motion carried:**

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

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- 26. REVIEW AND APPROVE THE FOLLOWING LIABILITY CLAIM RECOMMENDATION: (10:02 AM)**

**A. MARK MCMILLAN – SETTLE**

Item 26.A added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- 27. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:02 AM)**

Item 27 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

**EXECUTIVE SESSION ITEMS**

Note 1 -Gov't Code Ann 551.071, Consultation with Attorney

Note 2 -Gov't Code Ann 551.072, Real Property

Note 3 - Gov't Code Ann 551.074, Personnel Matters

- 28. PRESENT DETAILS OF SETTLEMENT IN SAWYER VENDING V. ROCKS ALONG WITH FINAL RELEASE; DISCUSS FUTURE SETTLEMENTS. <sup>1</sup> (4:00 PM) (4:38 PM)**

Judge Aleshire announced that Item 28 would be considered in Executive Session.

Item 28 to be postponed until November 24, 1998.

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- 29. REVISED WORDING: APPROVE LICENSE AGREEMENT OR RENEW EXISTING LICENSE WITH LAKE AUSTIN SPA INVESTORS, LTD., FOR ACCESS ACROSS MARY QUINLAN PARK, AND/OR TAKE OTHER APPROPRIATE ACTION.** <sup>1</sup> (4:00 PM) (4:38 PM)

Judge Aleshire announced that Item 29 would be considered in Executive Session.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Moore to renew the license agreement with Lake Austin Spa Investors, Ltd. for no more than another 90 days, and to authorize the County Attorney's Office to continue negotiations with Lake Austin Spa Investors for an appropriate permanent access agreement.

**Motion carried:**

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

Item 29 to be reposted on December 1, 1998.

- 30. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN JUDY FRANCIS PAINTER V. ESCO ELEVATORS CORPORATION, MONTGOMERY KONE, INC., F/K/A MONTGOMERY ELEVATOR COMPANY AND TRAVIS COUNTY, (PAINTER; PEREZ; TEXAS TORT CLAIMS ACT, PREMISES AND PERSONAL INJURY).** <sup>1</sup> (9:08 AM)

Item 30 pulled from the Agenda.

- 31. RECEIVE BRIEFING AND/OR AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN LORENZO LEWIS V. LAURA DAVENPORT, ET AL. (FRAISER; 1983; EXCESSIVE FORCE).** <sup>1</sup> (2:14 PM)

Item 31 postponed until November 24, 1998.

- 32. RECEIVE BRIEFING FROM COUNTY ATTORNEY, AND/OR ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER IN THE MATTER OF RAYMOND LEE ARRINGTON TRAVIS COUNTY FILE NO. 186.1 (ARRINGTON; MERCER; GRIEVANCE).** <sup>1</sup> & <sup>3</sup> (4:00 PM) (4:38 PM)

Judge Aleshire announced that Item 32 would be considered in Executive Session.

Item 32 postponed until November 24, 1998.

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- 33. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN BEDFORD, KATHY ET AL., V. TRAVIS COUNTY, ET AL., CAUSE NO. A-97-CA-661 JN (BEDFORD; RUST; EMPLOYEE MATTER).<sup>1</sup> (2:14 PM)**

Item 33 postponed until November 24, 1998.

- 34. ADDED ITEM: RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION WITH REGARD TO COUNTY AUDITOR'S REQUEST FOR LITIGATION INFORMATION IN CONNECTION WITH THE YEAR-END INDEPENDENT AUDIT (SPATARO; AUDIT).<sup>1</sup> (4:00 PM) (4:38 PM)**

Judge Aleshire announced that Item 34 would be considered in Executive Session.

**Motion by Judge Aleshire and seconded by Commissioner Gómez** that Judge Aleshire be given permission to release to Susan Spataro, Travis County Auditor, and the outside auditing firm of Deloitte and Touche, the 1998 Fiscal Year Pending Litigation Report for sole and exclusive use in preparing the 1998 year-end audit, and that the Court authorize the County Attorney's Office to meet with Ms. Spataro or representatives of Deloitte and Touche as necessary to discuss and supplement the report.

**Motion carried:**

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

**THE FOLLOWING ITEMS ARE ADDENDA:**

- A.2 DISCUSS STATUS OF AUSTIN/TRAVIS COUNTY RADIO COALITION TRUNKED RADIO SYSTEM RFP. (2:19 PM)**

**Members of the Court heard from:** Teresa Reel, Manager of Emergency and Wireless Communications, JPS; and Dinah Dinwiddie, Executive Manager, JPS.

Discussion Only.

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**A.3 DISCUSS TXDOT'S ALTERNATIVE ALIGNMENTS OF STATE HIGHWAY 130 – SEGMENT B AND TAKE APPROPRIATE ACTION. (9:07 AM)**

Item A.3 pulled from the Agenda.

**ADJOURNMENT**

**Motion by Commissioner Sonleitner and seconded by Commissioner Gómez to adjourn the Voting Session. (4:39 PM)**

**Motion carried:**

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

**MINUTES APPROVED BY THE COMMISSIONERS' COURT**

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**Date of Approval**

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**Samuel T. Biscoe, Travis County Judge**

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